

**WEST VALLEY CITY
PLANNING COMMISSION
MINUTES**

February 10, 2010

The meeting was called to order at 4:05 p.m. by Chairman Harold Woodruff at 3600 Constitution Boulevard, West Valley City, Utah

WEST VALLEY CITY PLANNING COMMISSION MEMBERS

Harold Woodruff, Brent Fuller, Jack Matheson, Terri Mills, Joe Garcia, Barbara Thomas, and Imaan Bilic

ABSENT:

Phil Conder

WEST VALLEY CITY PLANNING DIVISION STAFF

John Janson, Steve Pastorik, Hannah Thiel, Jody Knapp, and Nichole Camac

WEST VALLEY ADMINISTRATIVE STAFF:

Claire Gillmor, Assistant City Attorney

AUDIENCE

Approximately zero (0) people were in the audience

ZONE TEXT CHANGE APPLICATIONS

ZT-1-2010

Sexually Oriented Business and Outcall Services West Valley City

The following amendments to Title 7 of the West Valley City Municipal Code have been proposed to update the standards set forth for Sexually Oriented Business and Outcall Services. These amendments will reflect changes in the case law and the recent updates set forth in Title 17, which is the Business Licensing section of the West Valley City Municipal Code.

The changes would also refine and clarify the meaning and applicability of the provisions in the Code and update the location and distance restrictions for these types of uses.

Please refer to the attached copy of the ordinance amendment for further details.

Staff Alternatives:

Approval, of the Ordinance proposed subject to the resolution of any issues raised at the public hearing.

Continuance, to allow time for Staff to further review and refine the proposed amendment.

Applicant:

West Valley City

Discussion: Claire Gillmor presented the application. Jack Matheson asked whether entertainers working in strip clubs are allowed to be fully nude or if they must be semi-nude. Claire replied that West Valley City has a bikini policy which means that they cannot be completely nude and must wear bikini like attire. Commission Matheson asked if the dancers are allowed to be topless. Claire replied no. Commissioner Matheson questioned whether this is regulated by federal law. Claire replied that individual municipalities are able to determine their own restrictions on exotic dancing requirements.

Terri Mills asked how much acreage there currently is in the heavy manufacturing zone and if most of it is owned by the same company. John Janson replied that there are approximately 10-20 acres of heavy manufacturing in one section and 3-4 square miles in another. There are several different companies that own property in this zone including ATK, Hexcel, Kennecott, Utah Track and Welding, and a recycling company. Claire added that all land in the heavy manufacturing zone is private property. Commissioner Mills expressed concern allowing these types of businesses near U-111 and added that business and development may change in these heavy manufacturing areas in the future.

Imaan Bilic asked if there is a maximum number of SOB businesses allowed in the City. Claire replied that there are a lot of cities that put a cap on the number allowed

but since West Valley does not currently have any SOB/outcall businesses it would be difficult to determine a reasonable restriction on this. Claire added that there are separation requirements between SOB businesses and this helps in limiting the number of them allowed in the City.

Jack Matheson questioned why the sign ordinance is more restrictive on SOB businesses. Claire replied that the City can regulate signs that have business names and expressive elements that suggest prostitution.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Garcia moved for approval of the ordinance proposed.

Commissioner Thomas seconded the motion.

Roll call vote:

Commissioner Bilic	Yes
Commissioner Fuller	Yes
Commissioner Garcia	Yes
Commissioner Matheson	Yes
Commissioner Mills	No
Commissioner Thomas	Yes
Chairman Woodruff	Yes

Majority –ZT-1-2010 – Approved

ZT-2-2010

**Sections 7-20 - Enforcement Ordinance Text Amendment
Staff Presentation by Hannah Thiel, Planner II**

Background

With the addition of a new department in the City, known as the Community Preservation Department, the Code Enforcement division was moved from the Community and Economic Development Department to the Community Preservation Department (CPD). Title 7 of the West Valley City Land Use and Management Act has ordinances related to the workings of the Community and Economic Development Department (CED). As Code Enforcement is no longer in the CED Department staff is proposing a text change to provide guidelines applicable to the CED and CPD department operations for enforcement.

This ordinance would add the CPD as a responsible party in enforcing Title 7 provisions. This is in addition to allowing some responsibility to the CED department for enforcement to allow building inspections necessary citation and enforcement work.

Recommendations/ Staff Alternatives

- Approval of the Enforcement Ordinance Text Change, subject to any issues raised at the public hearing
- Continuance, for resolution of any issues that may arise at the public hearing.

- Denial of Enforcement Ordinance Text Change

Applicant:

West Valley City

Discussion: Hannah Thiel presented the application. The Planning Commission had no questions or concerns.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Thomas moved for approval of the Enforcement Ordinance Text Change.

Commissioner Fuller seconded the motion.

Roll call vote:

Commissioner Bilic	Yes
Commissioner Fuller	Yes
Commissioner Garcia	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Thomas	Yes
Chairman Woodruff	Yes

Unanimous –ZT-2-2010 – Approved

PLANNING COMMISSION BUSINESS

Approval of minutes from January 13, 2010 (Regular Meeting) **Approved**
Approval of minutes from February 3, 2010 (Study Session) **Approved**

There being no further business, the meeting adjourned at 4:23 p.m.

Respectfully submitted,

Nichole Camac, Administrative Assistant